

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this correspondence is being filed electronically with the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 C.F.R. §1.8 on the below date:

Date: September 3, 2008 Name: Stephen C. Smith (Reg. No. 56,250) Signature: /Stephen C. Smith/

**BRINKS  
HOFFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Foster et al.

Appln. No.: 10/617,580

Filed: July 11, 2003

For: Flexible Cannula

Attorney 10922-51 (PTG-5338-RFB)

Docket No:

Examiner: Nguyen

Art Unit: 3731

Confirmation No. 3677

**TRANSMITTAL**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Attached is/are:**

- ☒ Response With Request for Continued Examination and Interview Summary; RCE transmittal; Copy of Statement of Prior Invention; Third Supplemental Information Disclosure Statement; PTO 1449 with NPL document; Deposit account debited \$810;
- ☐ Return Receipt Postcard.

**Fee Calculation:**

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 CFR § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 CFR § 1.17(\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		OR	Not a Small Entity	
					Rate	Add'l Fee		Rate	Add'l Fee
Total	18	Minus	29	0	x \$25=			0x \$50=	00
Indep.	2	Minus	3	0	x 105=			0x \$210=	00
First Presentation of Multiple Dep. Claim					+ \$185=			+ \$370=	
					Total	\$		Total	\$0.00

**Fee Payment:**

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ Please charge Deposit Account No. 23-1925 in the amount of **\$810** for RCE fee.  
A copy of this Transmittal is enclosed for this purpose.
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed for this purpose.

Respectfully submitted,

September 3, 2008  
Date

/Stephen C. Smith/  
Stephen C. Smith (Reg. No. 56,250)

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